

RECEIVED
CENTRAL FAX CENTER

DEC 28 2005

**FACSIMILE COVER PAGE
(THIS COVER PAGE + 2 PAGES)**

Today's Date: December 28, 2005

To: Examiner J. Teresinski, Art Unit: 2858

FAX: (571) 273-8300

**From: Frederick E. Cooperrider #36,769
McGinn Intellectual Property Law Group, PLLC
Ph: (703) 761-2377**

In re Application of Young Hoon KWARK

Serial No.: 10/827,230

**For: METHOD AND STRUCTURE FOR VARIABLE PITCH MICROWAVE PROBE
ASSEMBLY**

Contents: 1. Response to Election/Restriction Requirement (2 pages)

CERTIFICATION OF TRANSMISSION

I certify that I transmitted via facsimile to (571) 273-8300 this Response to Election/Restriction Requirement to Examiner J. Teresinski on December 28, 2005.



Frederick E. Cooperrider
Reg. No. 36,769

S/N 10/827,230
YOR920040080US1 (YOR.517)

RECEIVED
CENTRAL FAX CENTER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE **DEC 28 2005**

In re Application of

Young Hoon Kwark

Serial No.: 10/827,230

Group Art Unit: 2858

Filed: April 20, 2004

Examiner: Teresinski, J.

For: METHOD AND STRUCTURE FOR VARIABLE PITCH MICROWAVE
PROBE ASSEMBLY

Commissioner for Patents
Alexandria, VA 22313-1450

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

Sir:

In response to the Office Action dated December 1, 2005, in the above-referenced Application, wherein the Examiner required an election of one of the two identified inventions, Applicant hereby elect Invention I, under traverse that the statutory requirements have been met in this specific case for the requirement, and subject to rejoinder.

In the Office Action, the Examiner considers that claims 1-22 define Invention I directed to a coplanar waveguide test probe and that claims 23-25 define Invention II directed to a method of fabricating a micro-coaxial probe. The Examiner also alleges that the process as claimed can be used to make a different product such as a capacitive probe.

Applicant submits that the rationale recited above fails to reasonably satisfy the analysis, since, if the description in the limitations of the methods claims is considered as a capacitive probe, then the product claims, by reason that substantially the same description is present, could also be considered as describing a capacitive probe.

Therefore, Applicants submit that the Restriction/Election Requirement is improper in the instant case by failure of providing a reasonable justification.

S/N 10/827,230
YOR920040080US1 (YOR.517)

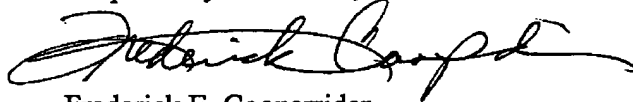
Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw this Requirement.

Early, favorable prosecution on the merits is respectfully requested.

Should the Examiner find the Application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

A conditional petition is made for any extension of time which may become necessary. The Commissioner is authorized to charge any fees for such extension and to credit any overpayment in fees to Assignee's Deposit Account No. 50-0510.

Respectfully Submitted,



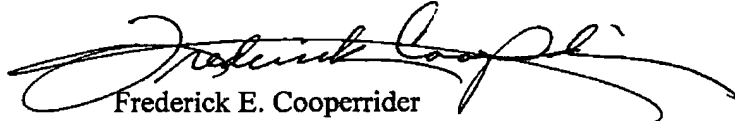
Frederick E. Cooperrider

Reg. No. 36,769

Date: 12/28/05
McGinn Intellectual Property Law Group, PLLC
8321 Old Courthouse Road, Suite 200
Vienna, Virginia 22182
(703) 761-4100/Atty's Direct No: (703) 761-2377
Customer No. 21254

CERTIFICATION OF TRANSMISSION

I certify that I transmitted via facsimile to FAX: (571) 273-8300 this Response to a Election/Restriction Requirement to Examiner John Teresinski on December 28, 2005.



Frederick E. Cooperrider

Reg. No. 36,769